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*Via Hand Delivery*

Mary L. Cottrell
Secretary
Department of Telecommunications and Energy
One South Station
Boston, MA 02110

> Re: **MA D.T.E. 02-8**

Dear Secretary Cottrell:

I write on behalf of AT&T concerning the replies of Verizon and the Unions to the joint motion of several carriers for the establishment of an industry task force to address network security matters and a stay of the proceedings pending completion of the work of the task force.[1]

In its reply comments, Verizon states that it "does not oppose undertaking settlement discussions with all parties[.]" *Verizon Reply*, at 2. Verizon's use of the term "settlement," however, fundamentally mischaracterizes the relief that the moving parties seek in their motion. The term "settlement" indicates a process that begins with opposing litigation positions and involves an attempt to compromise those opposing positions. AT&T does not believe that such a model can address legitimate security issues at Verizon central offices where carriers' networks are interconnected. Rather than sharing best practices and insights, "settlement" negotiations involve the "horse-trading" of concessions in one area for the acceptance of positions in another area. Indeed, where Verizon's litigation position does not even address the fundamental issues, such horse-trading will put the carriers in a position of conceding to some of Verizon's proposed collocation changes when such changes have nothing to do with the problem that must be addressed. If the objective is security, then a task force of security experts is the best means of achieving that objective.

In its reply comments, Verizon opposed the suspension of this proceeding pending the outcome of an industry task force. Failure to suspend the proceeding, however, would defeat the purpose of an industry task force. The purpose of establishing such a task force would be to

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[1]     No weight should be given to the fact that I am writing only on behalf of AT&T. Given the shortness of time, I have not taken the time to obtain the consent of the other moving parties before filing this letter.

establish a context of cooperation between carriers, critical to enhancing security, and to provide a forum free of influence from the parties' litigation positions and strategies.  If litigation were proceeding at the same time as the task force is working, the unfolding of positions and the assertion and counter-assertion of litigation would constrain the position the members of the task force.  Indeed, such a result may be precisely the reason that Verizon opposes a stay of the litigation: an independent task force on security is unlikely to advance Verizon's litigation position.  In order to maximize the opportunity of the industry task force to produce the best security plan possible, the Department should not allow its work to be influenced by the litigation; the Department should stay the litigation during the work of the task force.

The Unions, in their reply comments, also opposed the establishment of an industry task force.  The only basis that the Unions gave for their opposition was the failure of Verizon to include the Unions as a member of the task force.  *Unions' Reply*, at 3.   There is no reason for the Department to reject the establishment of a task force on the basis of the Unions' concern.  This is an easily solvable problem.  AT&T believes that the Unions can make a valuable contribution to the work of the task force and did not intend the joint motion to exclude them.  The day-to-day experience of their members is important information, necessary to inform the work of the task force.  Indeed, any proposals or solutions that result from the task force would need to be accepted and supported by the Unions.  Therefore, their positions and concerns can and should also be addressed within the cooperative context of the task force, and the Unions should be full, participating members.

Sincerely yours,


Jay E. Gruber

cc:      Service List